

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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**CRM-M-30752-2019
DATE OF DECISION: 14.11.2019**

MANISH @ BHANDARI

... Petitioner(s)

Versus

STATE OF HARYANA

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Rajnikant Upadhyay, Advocate
for the petitioner.

Mr. Kapil Aggarwal, Addl. A.G., Haryana.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No.173 dated 04.05.2016, under Sections 302, 120-B, 476 & 34 IPC and Section 25 of the Arms Act, 1959, registered at Police Station Sampla, District Rohtak.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR and has been arraigned as an accused on the statement of co-accused in another case wherein the petitioner was arrested and has been arraigned as an accused in this case as well. He further contends that neither the complainant Vikas @ Vicky nor the eye witnesses namely Ankush, Vishal and Rajesh have supported the prosecution case. The petitioner is in custody for almost 2 years and 11 months since his arrest on 21.12.2016. He also contends that similarly situated co-accused namely Yoganand, Naveen @ Doctor, Lalit and Sumit have been granted the concession of bail.

Learned State counsel, upon instructions from ASI Sri Bhagwan, states that the petitioner is also involved in several other cases. He further states that 17 out of 40 prosecution witnesses have been examined.

Heard.

In view of the submissions of learned counsel for the petitioner, especially when the petitioner is not named in the FIR, the complainant and eye witnesses have not supported the prosecution case, he is in custody for almost 2 years and 11 months and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

14.11.2019.

SwarnjitS	Whether speaking/reasoned	:	Yes / No
	Whether reportable	:	Yes / No